

**A RESOLUTION
BY COUNCILMEMBER H. LAMAR WILLIS**

04-R-2026

A RESOLUTION AUTHORIZING THE CITY ATTORNEY TO EXECUTE A RETAINER AGREEMENT WITH THE LAW FIRMS OF GRIFFIN COCHRANE & MARSHALL, KIRKLEY & HAWKER, LLC, AND JENKINS & ROBERTS LLC TO SERVE AS OUTSIDE COUNSEL TO THE CITY OF ATLANTA IN CONNECTION WITH CONTRACT MATTERS, CONSTRUCTION MANAGEMENT ISSUES, INFRASTRUCTURE AND LITIGATION ARISING FROM THE CITY OF ATLANTA'S CAPITAL IMPROVEMENT PROJECTS RELATED TO THE CITY'S COMPLIANCE WITH WATER AND SEWER RELATED FEDERAL CONSENT DECREES AND STATE CONSENT ORDERS; TO AUTHORIZE EXPENDITURES FOR THAT PURPOSE IN AN AMOUNT NOT TO EXCEED \$250,000; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta is currently under two federal consent decrees which require the City to upgrade, maintain and construct improvements to its sanitary sewer collection and wastewater treatment system and two state consent orders requiring improvements to the City's drinking water system, in order to comply with the Federal Clean Water Act and the Georgia Water Quality Control Act; and

WHEREAS, the City is entering a critical stage of the Capital Improvements Program developed to comply with the requirements of the federal consent decrees and the state consent orders; and

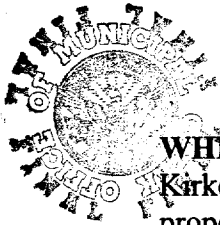
WHEREAS, timely and satisfactory completion of the projects within the Capital Improvements Program is an integral part of the City's compliance; and

WHEREAS, that level of design, construction and development will engender a myriad of legal issues to an extent that have never been handled in the City of Atlanta; and

WHEREAS, the City Attorney has determined that expertise in Construction Law and issues that arise out of the extensive construction that the City is and will be undertaking would be beneficial to the City; and

WHEREAS, the City Attorney solicited proposals from law firms seeking the foregoing expertise; and

WHEREAS, having considered the written proposals, the City Attorney further conducted oral interviews with various firms who prepared submissions; and




WHEREAS, the firms of Griffin Cochrane & Marshall, a professional corporation, Kirkely & Hawker, LLC and Jenkins and Roberts, LLC submitted the most responsive proposal, having the most extensive experience in the practice areas enumerated above.

THE CITY COUNCIL OF THE CITY OF ATLANTA, GEORGIA HEREBY RESOLVES that the City Attorney is authorized to retain the law firms of Griffin Cochrane & Marshall, a professional corporation, Kirkely & Hawker, LLC and Jenkins and Roberts, LLC to serve as outside counsel on contract matters, construction management issues, infrastructure and litigation matters arising out of the City's Capital Improvements Program Projects and the City's compliance with the two federal consent decrees which require the City to upgrade, maintain and construct improvements to its sanitary sewer collection and wastewater treatment system and two state consent orders requiring improvements to the City's drinking water system, in order to comply with the Federal Clean Water Act and the Georgia Water Quality Control Act.

BE IT FURTHER RESOLVED that the Chief Financial Officer is hereby authorized to remit payment of all legal fees, expenses and costs due for legal services rendered by the law firms of Griffin Cochrane & Marshall, a professional corporation, Kirkely & Hawker, LLC and Jenkins and Roberts, LLC in connection with the foregoing matters once approved for payment by the City Attorney, in an amount not to exceed \$250,000.00 to be paid from Fund Account and Center Number 2J21 724001 Q11101, Water and Wastewater Renewal and Extension Fund.

A true copy


Deputy Clerk

ADOPTED by the City Council
APPROVED by the Mayor

NOV 15, 2004
NOV 19, 2004

RCS# 6243
11/15/04
2:41 PM

Atlanta City Council

Regular Session

CONSENT I CONSENT I PG(S) 4-20, EXCEPT: 04-O-2036

ADOPT

YEAS: 13
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 1

Y Smith	Y Archibong	Y Moore	B Mitchell
NV Starnes	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	Y Willis
Y Winslow	Y Muller	Y Sheperd	NV Borders

CONSENT I

		11-15-04 Council Meeting
ITEMS ADOPTED ON CONSENT	ITEMS ADOPTED ON CONSENT	ITEMS ADVERSE ON CONSENT
1. 04-O-1887 2. 04-O-1872 3. 04-O-1936 4. 04-O-1946 5. 04-O-2030 6. 04-O-2031 7. 04-O-2038 8. 04-O-1417 9. 04-O-1879 10. 03-O-2222 11. 04-O-0044 12. 04-R-1982 13. 04-R-1983 14. 04-R-1984 15. 04-R-1985 16. 04-R-1988 17. 04-R-1977 18. 04-R-1979 19. 04-R-2041 20. 04-R-2042 21. 04-R-2092 22. 04-R-2093 23. 04-R-2094 24. 04-R-2095 25. 04-R-2096 26. 04-R-1875 27. 04-R-1876 28. 04-R-1877 29. 04-R-1950 30. 04-R-1951 31. 04-R-1953 32. 04-R-1954 33. 04-R-1957 34. 04-R-1959 35. 04-R-1960 36. 04-R-1961 37. 04-R-1962 38. 04-R-1963 39. 04-R-1964 40. 04-R-1965 41. 04-R-1966 42. 04-R-1967	43. 04-R-1968 44. 04-R-1969 45. 04-R-2024 46. 04-R-2029 47. 04-R-2033 48. 04-R-1752 49. 04-R-1974 50. 04-R-1975 51. 04-R-2025 52. 04-R-2085 53. 04-R-1980 54. 04-R-2026 55. 04-R-2040 56. 04-R-2048 57. 04-R-1999 58. 04-R-2000 59. 04-R-2001 60. 04-R-2002 61. 04-R-2015 62. 04-R-2016 63. 04-R-2017 64. 04-R-2018 65. 04-R-2019 66. 04-R-2020	67. 04-R-2003 68. 04-R-2004 69. 04-R-2005 70. 04-R-2006 71. 04-R-2007 72. 04-R-2008 73. 04-R-2009 74. 04-R-2010 75. 04-R-2011 76. 04-R-2012 77. 04-R-2013 78. 04-R-2014

04-R-2026
(Do Not Write Above This Line)

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ADOPTED BY

NOV 15 2004

COUNCIL

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☒ PERSONAL PAPER REFER

Date Referred 11/01/04
Referred To: Public Safety & Social Affairs
Date Referred _____
Referred To: _____
Date Referred _____
Referred To: _____

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

PSLA Committee

Date 11/9/04

Chair J. S. Smith

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

Committee _____

Date _____

Chair _____

Action _____

Fav, Adv, Hold (see rev. side)

Other _____

Members _____

Refer To _____

FINAL COUNCIL ACTION
☐ 2nd ☐ 1st & 2nd ☐ 3rd
Readings
☒ Consent ☐ V Vote ☒ RC Vote

CERTIFIED
NOV 15 2004
ATLANTA CITY COUNCIL PRESIDENT
James D. Johnson

CERTIFIED
NOV 15 2004
Renee Douglas Johnson
MUNICIPAL CLERK

MAYOR'S ACTION
Mayor's Action
NOV 19 2004
MAYOR